

City Council Regular Meeting  
Madison Heights, Michigan  
July 10, 2023

A City Council Regular Meeting was held on Monday, July 10, 2023, at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

**PRESENT**

Mayor Roslyn Grafstein  
Councilwoman Toya Aaron  
Mayor Pro Tem Mark Bliss  
Councilman Sean Fleming  
Councilor Emily Rohrbach  
Councilman David Soltis  
Councilor Quinn Wright

**OTHERS PRESENT**

City Manager Melissa Marsh  
Assistant City Attorney Jeffrey Sherman  
Deputy City Clerk Phommady A. Boucher

**CM-23-172. Appoint Acting City Clerk.**

Motion by Councilwoman Aaron, seconded by Councilor Wright, to appoint Acting City Clerk Boucher for tonight's meeting.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

Councilman Soltis gave the invocation and the Pledge of Allegiance followed.

**CM-23-173. Additions to the Agenda.**

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming, to add under Bid Awards/Purchases, Purchase of Properties 945 and 959 E. Ten Mile Road.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming, to under Bid Awards/Purchases, Amendment to the Budget for the Purchase of 945 and 959 E. Ten Mile Road.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

### **PRESENTATIONS:**

Kimberly Heisler, Executive Director of Madison Heights Community Coalition introduced Josie Wenzell, the new Youth Coordinator/Marketing Specialist, and Jordan Aaron, the new Student Intern. Ms. Wenzell and Mr. Aaron reviewed the Youth Wellness Council with a PowerPoint presentation by the Madison Heights Community Coalition.

Mayor Grafstein commended the Madison Heights Community Coalition for engaging our youth. She welcomed Ms. Wenzell and Mr. Aaron and encouraged them to reach out to City Council for any help.

### **PUBLIC HEARINGS:**

#### **CM-23-174. Special Approval PSP 23-04 – Auto Wash – 29448 John R Road.**

City Manager Marsh advised that staff recommends Special Approval request PSP 23-04 for an Auto Wash at 29448 John R Road be postponed until August 28, 2023, or later.

Motion made by Councilor Rohrbach, Seconded by Councilwoman Aaron, to postpone the Special Use request PSP 23-04 for an Auto Wash at 29448 John R Road until August 28, 2023, or later.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

#### **CM-23-175. Special Approval PSP 23-05 – Auto Wash – 29022 Stephenson Highway.**

City Manager Marsh reviewed Special Approval request PSP 23-05 an Auto Wash at 29022 Stephenson Highway.

Mayor Grafstein opened the public hearing at 7:45 p.m.

John Gaber, Applicant's attorney, introduced Todd Gesund and John Zimmerman from Jax Kar Wash. From the City's perspective it's master planned for industrial use but the Council recognizes that this corridor is going commercial with the current uses, and it was rezoned B-

3 last year to permit car washes as a Special Land Use. There is a gas station across the street, Kroger fuel station to the Southwest, and an auto repair shop to the south which are all auto related uses. There are four other car washes in the City, but none west of Stephenson Highway and in the 12 Mile Road area; the current car washes are off the Dequindre and the John R corridor. Jax Kar Wash has provided a Special Approval application, special use letter, and an addendum in support of the special approval to show they have satisfied all the special land use requirements. Competition is one of the criteria but there is competition in the community when it comes to restaurants, retail, and such; this is no different. This project meets the goals and objectives of the Master Plan. There will be a highly aesthetically pleasing building with materials that are proposed to be relatively maintenance free and very durable. They will promote the city's positive identity with an entrance sign and giving the city the easement to do so and a contribution of \$60,000. The quality design and materials of the building, the building placement and landscapes that shield internal operations, and the vacuum turbines located inside the building to minimize external noise help protect the business district from negative impacts. The following are to promote environmentally friendly practices: the wastewater recycle and recuse on site before it ever gets into the environment through a filter separator tank, the traffic flow and circulation site plan for an orderly one-way flow of traffic around the perimeter of the site which provides a lack of conflict with turning movements; the ample stacking that is concealed from view; the single access point at the far north end at Stephenson Hwy reduces conflict with traffic; and a generous contribution to a playground and other equipment at Twelve-Sherry Park.

Todd Gesund, Vice President of Jax Kar Wash, shared that Jax Kar Wash started in 1953 as a full-service car wash by Jack Milan. His sons Bruce and Jason continued the tradition in Michigan. The name Jax derives from the founder Jack and Jax Kar Wash celebrated their 70<sup>th</sup> birthday in May. Jax Kar Wash expanded their partnerships with existing car wash companies such as Super Car Wash which was started by Mr. Gesund's father in Madison Heights in 1977 on Dequindre and 11 Mile Road. Jax Kar Wash has grown to 33 locations throughout the Midwest and employs almost 800 team members. Jax Kar Wash goal is to offer clean, shiny, dry, and fast service. They provide free self-serve vacuum stations with compressed air. Jax Kar Wash has an indoor temperature-controlled mat room with a mat cleaning machine, a vending machine with car care products, and a customer friendly restroom. A unique practice they do is hand towel dry the vehicles after the car washing to give customers the extra personal touch; they have been doing this for 70 years. Jax Kar Wash works with host cities and builds beautiful car washes that fit in the current architecture and environment. Their community outreach has included sponsoring community events, golf outings, and donating gifts and prizes for raffles. They have Jack's charity weekend that they provide a location to bring in a local charity and raise money by matching customer donations. In 2022, combined donations from Jax raised \$14,000 for local charities in the communities. They have 20 locations in the metro Detroit area such as Madison Heights, Royal Oak, and Warren. They believe Stephenson Highway and 12 Mile Road is a gateway to the City of Madison Heights and their excited for the opportunity to build their brand at that site. Mr. Gesund answered Councilman Solti's question that there are 33 locations throughout the Midwest and 20 in the Metro Detroit area. Jax Kar Wash does a phase one environmental study on all their sites and any sites that had a gas station may require a phase two environmental study, a do care plan, and/or remediation depending on the findings.

Seeing no one further wishing to speak, Mayor Grafstein closed the public hearing at 7:56 p.m.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright, to approve the Special Use request PSP 23-05 for an Auto Wash at 29022 Stephenson Highway, with the following conditions of approval:

1. Resolve site plan deficiencies relating to building setback, hours of operation, chain link fence and outdoor self-service vacuum bays or seek the appropriate variances from the Zoning Board of Appeals.
2. Install a pedestrian sidewalk connection and a bicycle rack, as required per Section 10.505 of the Zoning Ordinance; the exact locations may be determined through the Site Plan review process.
3. Add landscaping at the southwest corner of the site, adjacent to the proposed monument sign, to fill in the landscaping gap and to screen the view of the auto wash bay from the road; the details of this landscaping may be determined through the Site Plan review process.
4. Move the location of the dumpster enclosure out of the front yard; the exact location may be determined through the Site Plan review process.
5. The Landscape Plan and Building Elevations submitted with the site plan package shall be substantially consistent with the preliminary plans submitted with this special use application, with the exception of any required modifications placed as conditions of approval.
6. As voluntarily offered by the applicant, the applicant shall donate a minimum of \$60,000 towards Madison Heights ongoing entrance identification and beautification sign project and a minimum of \$90,000 towards public improvements at Twelve-Sherry Park.
7. As voluntarily offered by the applicant, the City of Madison Heights shall have the right to obtain an easement at the southwest corner of the subject property for the purposes of installation, operation, and maintenance of a City entrance/identification sign, provided that the location of the sign does not interfere with the use and operation of the Property as an auto wash in accordance with the approved special use.

Voting Yea: Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach,  
Councilman Soltis, Councilor Wright

Nay: Mayor Grafstein, Mayor Pro Tem Bliss

Motion carried 5-2.

**CM-23-176. Special Approval PSP 23-03 – Used Good Use/Regulated Use – 31010 John R Road.**

City Manager Marsh reviewed Special Approval request PSP 23-03 a Used Good Use/Regulated Use at 31010 John R Road.

Mayor Grafstein opened the public hearing at 8:02 p.m.

Dan Varner, President & CEO of Goodwill Industries of Greater Detroit, shared that Goodwill of Greater Detroit is a 100-year-old non-profit organization serving the five-county region for 102 years. Their mission is to build pathways to independence through personal development and the power of work. There are 155 locations in North America, and they are focused on Workforce Development for folks who are living with barriers to employment. They are particularly well known for serving folks living with intellectual and developmental disabilities. All Goodwill's are social enterprises that run businesses and integrate their mission into those businesses. Their largest business is Goodwill Integrated Solutions that is a tier one automotive supplier assembly and 70% of the workforce are folks who live with intellectual and developmental disabilities. They produce parts in cars as tier one supplier to Atlantis Ford and General Motors. Their second business is Goodwill's Greenworks a subsidiary of Goodwill of Greater Detroit. They are an asset recovery and industrial recycling business located in Detroit and Dearborn. Greenworks in Detroit does industrial recycling and asset recovery for DTE Energy. Whenever a transformer comes down, powerline comes down or a powerplant closes the materials are sent to Greenworks to be broken into component parts and sold on the commodities market; proceeds are split with DTE Energy and local companies. Over 70% of the workforce at Goodwill Greenworks are folks who have been or are justice involved and trying to get their lives on track looking for a second chance. The third business are donated goods retail thrift stores. They produce a positive environmental impact to keep toxic materials out of landfills and help recycle textiles. The stores work with local community or based organizations who are serving folks with intellectual or developmental disabilities and students with special needs looking for jobs. There will be 7 Goodwill stores in metro Detroit to include Madison Heights, Canton, Dearborn, Ypsilanti, Woodhaven, Livonia, and Commerce Township. They serve 12,000 people with barriers and live independently through all their programs each year. About 1,500 placements yearly, starting wage is almost \$18 hourly, 94% replacement retain their job over the first 3 months and 91% replacement retain their job over the first 6 months. It is not Goodwill's practice to put permanent donation bins out because it clutters the landscape. Mr. Varner introduced Gayle Joseph the Vice President of Communications, Marketing, and Government Affairs. He answered Crime Commission member Martha Covert's questions with the following information: the second chance program is called Flip the Script; the folks are medium and high risk reoffending felons; recidivism rates for their graduates are between 8-12% verses the state as a whole is over 30%; graduates are invited to work at the Goodwill's Greenworks; and the sole exception are folks that have been adjudicated locally and the courts require them to engage in public service so they are offered to do public service at the retail stores.

City Planner Lonnerstater addressed Planning Commissioner Eric Graettinger's question by stating based on the site plan and survey, the 13 Mile Road entrance appears to be owned by Sam's Club so it would be difficult to tie a condition to it.

Seeing no one further wishing to speak, Mayor Grafstein closed the public hearing at 8:15 p.m.

Mayor Pro Tem Bliss stated the location was a retail store before and will continue to be a form of retail that is great for our environment and fixed income residents.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilwoman Aaron, to approve the special use request PSP 23-03 for a Used Good Use/Regulated Use at 31010 John R Road, with the following conditions of approval:

1. A site plan shall be submitted for Site Plan Review Committee (SPRC) review and approval which brings the site into greater conformity with Zoning Ordinance standards. The site plan shall depict, at minimum: a. Modifications to the drive-through canopy, including new overhead doors and queuing information; and b. Sidewalk connection(s) to one or both of the adjacent public sidewalks along John R Road and/or W. 13 Mile Road, in compliance with Section 10.506(H); and c. Enclosures for any exterior dumpsters or permanent donation drop-off containers, in compliance with Section 10.510(B)(8); and d. Additional right-of-way greenbelt landscaping, in compliance with Section 10.510(A).
2. The applicant shall apply for and obtain from the Zoning Board of Appeals (ZBA) a residential separation variance from the regulated use standards of Section 10.502[A].
3. Rollaway donation bins and donation items shall not be stored outside after business hours. All rollaway bins and items shall be stored and sorted inside the building.
4. Permanent donation drop-off containers, if proposed, shall be enclosed and screened in accordance with Section 10.510(B)(8) and shall be denoted on the submitted site plan.
5. The applicant shall obtain a business license for a regulated use in accordance with Article VII of the Business Regulations and Licenses Ordinance.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Nay: Councilman Fleming

Motion carried 6-1.

#### **MEETING OPEN TO THE PUBLIC:**

Deborah Vansyke, resident, expressed her concerns with the I-75 Construction impacting her home, the bumper-to-bumper traffic on her street, and the cars speeding through her neighborhood.

Martha Covert, Crime Commission member, expressed her concern with the cars speeding on Edward through her neighborhood.

**CM-23-177. Consent Agenda.**

Motion made by Councilwoman Aaron, Seconded by Councilor Wright, to approve the Consent Agenda as read with the removal of item 6 - City Council Regular Meeting Date Change from Monday, September 25, 2023, to Tuesday, September 26, 2023.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-178. Purchasing Coordinator - Council Chambers Scheduled Replacement of Tricaster.**

Motion made by Councilwoman Aaron, Seconded by Councilor Wright, to approve the Council Chambers scheduled replacement tricaster.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-179. Special City Council Meeting Minutes of June 26, 2023.**

Motion made by Councilwoman Aaron, Seconded by Councilor Wright, to approve the Special City Council Meeting Minutes of June 26, 2023, as printed.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-180. Regular City Council Meeting Minutes of June 26, 2023.**

Motion made by Councilwoman Aaron, Seconded by Councilor Wright, to approve the Regular City Council Meeting Minutes of June 26, 2023, as printed.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-181. City Council Regular Meeting Date Change from Monday, September 25, 2023, to Tuesday, September 26, 2023.**

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming, to approve City Council Regular Meeting Date Change from Monday, September 25, 2023, to Tuesday, September 26, 2023.

Councilor Rohrbach explained that the religious holiday on Monday, September 25<sup>th</sup> is Yom Kippur.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-182. Proposed Alley Right-of-Way Vacation - PEE 23-01 - 601 W. 12 Mile Road - Schedule Public Hearing for August 14, 2023.**

City Manager Marsh reviewed Proposed Alley Right-of-Way Vacation request PEE 23-01 at 601 W. 12 Mile Road and Schedule Public Hearing for August 14, 2023.

Mayor Pro Tem Bliss asked if this item may be added to the Planning Commission meeting agenda before the August 14<sup>th</sup> date.

City Planner Lonnerstater confirmed that if council desires to send this item to the Planning Commission, it can be added to their agenda.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach, to approve the proposed Alley Right-of-Way Vacation request PEE 23-01 at 601 W. 12 Mile Road, schedule a Public Hearing for August 14, 2023, and refer this matter to Planning Commission for a study to be reported back to City Council prior to the public hearing.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

**CM-23-183. Purchase of Properties - 945 and 959 E. Ten Mile Road.**

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming, to approve the purchase of properties 945 and 959 E. Ten Mile Road in an amount not to exceed \$54,500.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried 7-0.

**CM-23-184. Amendment the Budget – 945 and 959 E. Ten Mile Road.**

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach, to approve an amendment to the budget not to exceed \$54,500 for the purchase of 945 and 959 E. Ten Mile Road.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried 7-0.

**COUNCIL COMMENTS:**

Councilwoman Aaron stated that she voted for Jax Kar Wash because they are donating \$90,000 towards public improvements at Twelve-Sherry Park. She is proud of her son Jordan for his involvement in the Youth Wellness Council. Councilwoman Aaron thanked Mayor Grafstein for putting Jordan in contact with Ms. Kimberly Heisler with the Madison Heights Community Coalition where he was able to find his passion to help youth.

Mayor Pro Tem Bliss welcomes Goodwill because they are environmentally friendly and affordable. He commented that members of the Arts Board, DPS staff, and a representative of the City Manager's Office identified locations in Civic Center Park for the twelve bands to play at Trail Tunes on September 9<sup>th</sup>.

Councilor Wright added that the Chamber of Commerce is hosting the beer tent at Trail Tunes. He thanked the Chamber for their Golf Outing because of the networking opportunity and chance to learn about programs in the community. Councilor Wright stated he attended the Oakland Community Health Network (OCHN) Call to Solidarity for Those Working on Mental Health Issues and suggested they come speak at a future Council meeting. HREC is offering a History Talk with the Jewish Historical Society of Michigan on August 2<sup>nd</sup> and Jewish Detroit bus tour is on August 6<sup>th</sup>. HREC is partnering with a non-profit car club to host Madison Heights Motorama and Smoke on September 19<sup>th</sup>; New Generation Modifiers will be present at the event. More details to come, please visit the Madison Heights Human Relations and Equity Facebook page for more information.

City Attorney L. Sherman hoped everyone had a wonderful 4<sup>th</sup> of July holiday weekend and he was impressed by the Madison Heights Community Coalition presentation. He commented that Councilwoman Aaron must be proud of her son Jordan because he's a remarkable young man who is going places.

City Manager Marsh invited everyone to celebrate on Monday, July 17<sup>th</sup> at 5:30 p.m. at a special ceremony to honor Oakland County Gary R. McGillivray by renaming the Twelve-Sherry Park to McGillivray Park.

Deputy City Clerk Boucher had no comments this evening.

Councilor Rohrbach commented that the Arts Board and HREC have been working together with the Michigan Statewide Independent Living Council to celebrate on July 26<sup>th</sup> the passing of the ADA Law of 1986. She welcomes everyone to participate on Saturday, July 22<sup>nd</sup> from 1 – 4 p.m. with the Arts Board's community art project and noted that an artist with disability has proposed a beautiful mural that will be painted and created by members of the community. Councilor Rohrbach spoke about the dangers of lighting giant fireworks in the middle of neighborhoods for the 4<sup>th</sup> of July and encourage everyone to reach out to our State Representatives to modify this law. She is excited about the Jewish Detroit tours, Trail Tunes, Madison Heights Motorama & Smoke, and the recent Festival in the Park. Councilor Rohrbach is happy to be part of this community that continues to bring in new activities and ideas.

Councilman Fleming is holding office hours at Library from 10 a.m. to 12 p.m. or you can email him at [seandfleming@madison-heights.org](mailto:seandfleming@madison-heights.org).

Councilman Soltis thanked Sherman & Sherman, P.C. for all they do for the city. He spoke about the Canadian forest fire pollution and his concerns.

Mayor Grafstein talked about Jack Huffman (Jax), a Center Line resident and Army veteran who is doing a walking journey across America to raise donations for the Fallen and Wounded Soldier fund. She invites everyone to come out to show their support and she plans to walk with Jax on Wednesday, July 12<sup>th</sup> from 10 Mile Road and John R Road to Fire Station 2. Mayor Grafstein thanked City Council for approving the purchase of 945 and 959 E. Ten Mile Road properties. She recognized Goodwill for being environmentally friendly and affordable. Mayor Grafstein spoke about the City of Warren's 12<sup>th</sup> annual Middle Eastern American (MEA) Music and Cultural Festival and interest in bringing new events into the city. She commented that every resident should be able to attend a Council meeting without having to make a choice. Mayor Grafstein thoroughly enjoyed the Chamber Golf Outing and the Oakland Community Health Network (OCHN) Call to Solidarity for Those Working on Mental Health Issues. She supports the Oakland County program that provides a social worker to assist the Police Department with a mental health call. The next Regular Council Meeting is July 24<sup>th</sup>.

#### **ADJOURNMENT:**

Having no further business, Mayor Grafstein adjourned the meeting at 8:57 p.m.

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Roslyn Grafstein, Mayor

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Phommady A. Boucher, Deputy City Clerk